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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,235	12/08/2003	Kazuto Yoneyama	16869P-097700US	4953
20350 7590 05/01/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER OMOSEWO, OLUBUSOLA	
			ART UNIT 2168	PAPER NUMBER
			MAIL DATE 05/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/731,235

Applicant(s)

YONEYAMA, KAZUTO

Examiner

OLUBUSOLA ONI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6,7,11,12, 14-20 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6,7,11,12, 14-20 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Response to Amendment**

1. This action is responsive to communication: Amendment filed on 02/14/2007.
2. Claims 6, 11, 12, 16, 19, 23. Claims 1-5, 8-10, 13, 21-23 have been cancelled.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 6-7, 11-12, 14-20, 23 are rejected under 35 U.S.C. 103(a) as being anticipated by Chung et al. (Pub No: 2005/0071425) hereinafter "Chung" in view of Bezos et al. (PAT No: U.S 7,082,407) hereinafter "Bezos"

For claim 6, Chung teaches "a recording medium control module configured to read content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

"a network control module configured to connect with the provider of service information based on the locator information"(See paragraph [0037], [0044])

"a database control module configured to store content identification information relating to audiovisual information" (See paragraph [0003], [0008], [0040])

"wherein the network control module is configured to send to the provider associated with the locator information the content identification information, and to receive from the provider service information containing at least one of text information and audiovisual information corresponding to the content identification information"(See paragraph [0027])

"a display device to display information (See paragraph [0048]); and a playback control module configured to output information to the display device (See paragraph [0015], [0039]);

"wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the

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locator information have not been registered in the management database" (See paragraph [0007-0008], [0038], [0040], [0044])

Chung does not teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content".

However, Bezos teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content"([Col.4, lines 57-67, Col.9, lines 16-27])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's teachings with Bezos's teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27).

For claim 7, Chung teaches "further comprising a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device" (See paragraph [0007], [0008], [0015], [0039])

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For claim 11, Chung teaches "a network control module configured to send content identification information identifying content of audiovisual information of a recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium, and to receive from the provider service information containing audiovisual information corresponding to the content identification information" (See paragraph [0027])

"a database control module configured to store content identification information relating to audiovisual information" (See paragraph [0003], [0008], [0040])

"a display device to display information" (See paragraph [0048]);

"a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device"(See paragraph [0007], [0008], [0015], [0039])

"wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the

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locator information have not been registered in the database control module”(See paragraph [0007-0008], [0038], [0040], [0044]

Chung does not teach “wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content”.

However, Bezos teach “wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content”([Col.4, lines 57-67, Col.9, lines 16-27])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung’s teachings with Bezos’s teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27)

For claim 12, Chung teaches “a network control module configured to send content identification information identifying content of audiovisual information of a recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium, and to receive from the provider service information containing audiovisual information corresponding to the content identification information” (See paragraph [0027])

"a database control module configured to store content identification information relating to audiovisual information" (See paragraph [0003], [0008], [0040])

"a display device to display information" (See paragraph [0048]);

"a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device"(See paragraph [0007], [0008], [0015], [0039])

"a system control module is configured to determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received" (See paragraph [0007-0008], [0044-0046])

Chung does not teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content".

However, Bezos teach "wherein the playback control module controls the display device to output a list of titles relating to contents that the provider provides and controls the display device to output an icon when a user already owns the content"([Col.4, lines 57-67, Col.9, lines 16-27])



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Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's teachings with Bezos's teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27)

For claims 14 and 17, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

For claim 15, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 5 and is similarly rejected.

For claim 16, Chung teaches "reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

"connecting with the provider of service information based on the locator information"(See paragraph [0037], [0044])

"comparing the content identification information from the provider and the content identification in a management database, and registering the content identification information and the locator information in the management database if the content

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identification and the locator information have not been registered in the management database" (See paragraph [0007-0008], [0038], [0040], [0044])

Chung does not teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content"

However, Bezos teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content" ([Col.4, lines 57-67, Col.9, lines 16-27])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's teachings with Bezos's teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27)

For claim 18, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 7 and is similarly rejected.

For claim 19, Chung teaches "reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

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"connecting with the provider of service information based on the locator information"(See paragraph [0037], [0044])

"comparing the content identification information from the provider and the content identification in a management database" (See paragraph [0007-0008], [0038], [0040], [0044])

"determining whether there is a request to acquire service information based on the locator information"(See paragraph [0044-0046])

Chung does not teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content"

However, Bezos teach "outputting a list of titles relating to content that the provider provides; outputting an icon when a user already owns the content" ([Col.4, lines 57-67, Col.9, lines 16-27])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's teachings with Bezos's teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27)

For claim 20, Chung teaches "determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received" (See paragraph [0007-0008], [0044-0046])

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For claim 23, Chung teaches “means for reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

“means for connecting with the provider of service information based on the locator information”(See paragraph [0037], [0044])

“means for storing content identification information relating to audiovisual information”(See paragraph [0003], [0008], [0040]) and

“means for determining whether there is a request to acquire service information from the provider based on the locator information”(See paragraph [0044-0046])

“means for displaying information” (See paragraph [0048]);

“means for controlling playback configured to output information to means for displaying information” (See paragraph [0015], [0039]);

Chung does not teach “means for controlling playback configured to control the means for displaying so as to output a list of titles relating to contents that the provider provides and configured to control the means displaying to output an icon when a user already owns the content”

However, Bezos teaches “means for controlling playback configured to control the means for displaying so as to output a list of titles relating to contents that the provider

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provides and configured to control the means displaying to output an icon when a user already owns the content" ([Col.4, lines 57-67, Col.9, lines 16-27])

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chung's teachings with Bezos's teachings of searching and displaying a list of similar titles, and also display the contact information of the community members that purchased the item been searched for, to indicate the item has been previously purchased (Col. 9, lines 16-27)

#### **Response to Amendment**

5. Applicant's arguments with respect to claims 6, 11, 12, 16, 19, 23 have been considered but are moot in view of the new ground(s) of rejection.

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**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 10.00-6.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KBP OLUBUSOLA ONI  
Examiner  
Art Unit 2168



TIM VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100